

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Archie I. Welch, Jr.,

Plaintiff,
v.

ORDER
Civil No. 06-2340(MJD/JSM)

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

The above-entitled matter comes before the Court upon Plaintiff's objections to the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated July 24, 2007. Plaintiff asserts that the Magistrate Judge applied an incorrect standard of review, and thereafter failed to properly apply Medical Listing 12.05.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court finds that the Magistrate Judge applied the proper standard of review, and properly applied Medical Listing 12.05. Accordingly, the Court ADOPTS the Report and Recommendation dated July 24, 2007.

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment [Docket No. 7] is
DENIED;

2. Defendant's Motion for Summary Judgment [Docket No. 11] is
GRANTED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: October 23, 2007

s / Michael J. Davis
Michael J. Davis
United States District Court

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